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**FACSIMILE**

From: Steven D. Kerr  
Direct Dial: (404) 962-7524  
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TO: Commissioner for Patents COMPANY: United States Patent & Trademark Office

FAX: 571-273-8300 PAGES: 5 (including cover)

PHONE: DATE: June 21, 2007

RE: U.S. Application No. 10/803,005 ATTORNEY  
DOCKET/REF. NO. A042 1100.1

ACCOUNTING NO. 37927.0022.4

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

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In re Application of: Robert T. Ellingson

**OFFICIAL**

Application No.: 10/803,005

Filed: March 17, 2004

For: DOOR FRAME WITH UNITARY HEAD FLASHING, NAILING FIN, AND TEAR-AWAY CONSTRUCTION COVER

Attached in connection with the above-identified patent application are the following:

- (1) Transmittal Form;
- (2) Fee Transmittal; and
- (3) Response to Restriction Requirement

1201 West Peachtree Street, Suite 3500 Atlanta, GA 30309-3574

Telephone (404) 872-7000

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WCSR 3636019v1

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002/005

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

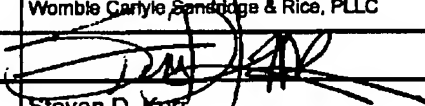
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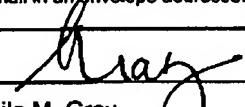
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/803,005	
	Filing Date	March 17, 2004	
	First Named Inventor	Robert T. Ellingson	
	Art Unit	3635	
	Examiner Name	Gilbert, William V.	
Total Number of Pages In This Submission	4	Attorney Docket Number	A042 1100.1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Womble Carlyle Sandridge & Rice, PLLC		
Signature			
Printed name	Steven D. Kerr		
Date	June 21, 2007	Reg. No.	32,472

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Sheila M. Gray	Date	June 21, 2007

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# **FEE TRANSMITTAL**

## **For FY 2006**

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

0.00

**Complete if Known**

Application Number	10/803,005
Filing Date	March 17, 2004
First Named Inventor	Robert T. Ellingson
Examiner Name	Gilbert, William V.
Art Unit	3635
Attorney Docket No.	A042 1100.1

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 09-0528 Deposit Account Name: Womble Carlyle Sandridge & Rice, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fees Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20.						
Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3.						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature 	Registration No. (Attorney/Agent) 32,472	Telephone 404-982-7524
Name (Print/Type) Steven D. Kerr		Date June 21, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
 ) **Robert T. Ellingson** ) Examiner: **Gilbert, William V.**  
 )  
 ) Art Unit: **3635**  
 Application No.: **10/803,005** )  
 )  
 ) Conf. No.: **4422**  
 Filed: **March 17, 2004** )  
 )  
 For: **DOOR FRAME WITH UNITARY HEAD FLASHING, NAILING FIN,  
AND TEAR-AWAY CONSTRUCTION COVER**

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 29, 2007, with a period for reply set to expire on June 29, 2007, Applicant hereby elects Species I, exemplified in Figures 1-4, without traverse. Claims 1-24 read on the elected species. Further, claims 1, 3 through 15, and 17 through 24 are generic.

It will be understood that this election is made without prejudice to the subject matter therein. Applicant reserves the right to file one or more continuing applications drawn to any non-elected species, claims, and/or inventions. Further, this election is being made to expedite prosecution of the present application and should not be construed as an admission that Applicant concurs with the grounds or reasons for the election requirement set forth in the Official Action.

This response is being filed within the one-month time period for reply set forth in the Office Action. Accordingly, Applicant requests that the examination and prosecution of this

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6/21/07  
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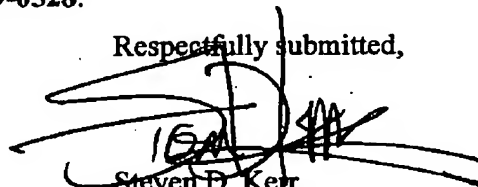
  
Sheila M. Gray

Response to Restriction Requirement and Election of Species mailed May 29, 2007  
U.S. Patent Application No. 10/803,005  
Page 2 of 2

application be performed in an expedited manner. If the Examiner believes that there are any issues that can be resolved by telephone conference, or if there are any informalities that may be addressed by an Examiner's amendment, the Examiner is invited to contact the undersigned at (404) 962-7524.

The Commissioner is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. 09-0528.

Respectfully submitted,



Steven D. Kerr  
Reg. No. 32,472

Date: June 21, 2007  
Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037  
(404) 962-7524 (direct)  
(404) 870-8174 (facsimile)

Atty Docket No.: A042 1100.1 (37927.0022.4)

WCSR 3629132v1